

REMARKS

**Reconsideration And Allowance
Are Respectfully Requested.**

Claims 1-20 are currently pending. Claims 1, 9 and 12 have been amended. No new matter has been added. No new claims have been added. No claims have been deleted. Reconsideration is respectfully requested.

Applicants would first like to thank Primary Examiner Jack Chiang for the courtesies extended during the Interview conducted on October 19, 2001. During the course of the interview, claim 1 was discussed as it relates to U.S. Patent No. 3,993,879 to Larkin. Applicants proposed amending claims 1 and 12 to include limitations further defining the speaker. The Examiner agreed to consider such amendments upon submission.

With regarding to the outstanding rejection, claim 9 stands rejected under 35 U.S.C. § 112, second paragraph. In accordance with the Primary Examiner's suggestion, claim 9 has been amended to depend from independent claim 1.

With regard to the rejections based upon prior art, claims 1-5 and 12-15 stand rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 3,993,879 to Larkin. In addition, claims 6, 9-11, 16 and 19-20 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Larkin in view of U.S. Patent No. 5,281,554 to Furuno. Further, claims 7, 8, 17 and 18 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Larkin in view of U.S. Patent No. 3,918,550 to Milani.

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In accordance with the discussion taking place during the interview of October 19, 2001, Applicants have amended claims 1 and 12 in an effort to overcome the prior art of record. Specifically, amended claim 1 now defines a cellular telephone including a user communication component linking the user to the cellular telephone without transmitting radiation leakage commonly associated with the user of cellular telephones. The device comprises a plurality of operating components transmitting outgoing signals and receiving incoming signals. The operating components include an incoming signal output which processes incoming signals and outputs the incoming signals for the user. The device further includes an interface linking the operating components to a user. The interface includes a speaker coupled to the incoming signal output. The speaker amplifies and converts the incoming signals from the incoming signal output to audible signals. The speaker includes a driver which is sealed within an integral enclosure having a single opening shaped and dimensioned for receiving a speaker sound tube. The speaker sound tube links a user to the speaker, wherein the speaker sound tube includes a first end and a second end. The first end of the speaker sound tube is coupled to the speaker for receiving audible signals generated thereby and the second end includes a user communication component through which the user may listen to the audible signals generated by the signal.

In contrast to the claimed invention, Larkin fails to disclose a communication device having an interface with a speaker including a driver sealed within an integral enclosure having a single opening shaped and dimensioned for receiving a speaker sound tube. Larkin's

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failure to provide such structure results in a device which is not feasible for today's marketplace.

Specifically, the speaker structure utilized in accordance with the claimed invention provides a high output without draining the battery of the cellular telephone. That is, by incorporating the driver within a sealed enclosure, the pressure generated by the driver is fully transmitted through the sound tube and ultimately to the ear of the user. The efficiency of such a system permits the utilization of miniature drivers requiring minimal energy and, thereby, not unduly burdening the battery of the cellular telephone.

As Larkin, and other known prior art, fail to disclose or suggest the claimed device of the present invention, it is our opinion that amended claims 1 and 12 overcome the prior art of record. As such, Applicants respectfully request that the outstanding rejections be withdrawn.

With regard to those claims dependent upon independent claims 1 and 12, they are believed to overcome the prior art of record for the reasons presented above.

Attached hereto is a marked up version of the changes made to the specification and claims by the current amendment. The attached page is captioned "Version With Markings To Show Changes Made".

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It is believed that this case is in condition for allowance and reconsideration thereof and early issuance is respectfully requested. If it is felt that an interview would expedite prosecution of this application, please do not hesitate to contact applicants' representative at the below number.

Respectfully submitted,



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